

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

MATTHEW TIMOTHY,
Defendant.

4:23CR3059

ORDER

Defense counsel has moved to withdraw because Defendant is not satisfied with counsel's representation. (Filing No. 22). Defendant is eligible for appointed counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A, and the Amended Criminal Justice Act Plan for the District of Nebraska.

IT IS ORDERED:

- 1) Defense counsel's motion to appoint new counsel, (Filing No. 22), is granted. Korey Reiman is hereby withdrawn as counsel and shall promptly notify Defendant of the entry of this order.
- 2) The clerk shall delete Korey Reiman from any future ECF notifications herein.
- 3) The clerk shall forward this memorandum and order to the Federal Public Defender.
- 4) The Federal Public Defender shall forthwith provide the court with a draft appointment order (CJA Form 20) bearing the name and other identifying information of the CJA Panel attorney identified in accordance with the Criminal Justice Act Plan for this district. .
- 5) The newly appointed counsel shall promptly file an entry of appearance on behalf of Defendant.
- 6) A telephonic conference with counsel will be held before the undersigned magistrate judge at 10:00 a.m. on December 12, 2023 to discuss setting any change of plea hearing, or the date of the jury trial and deadlines for disclosing experts as required under Rule 16.

Counsel for all parties shall use the conferencing instructions provided by the court to participate in the call.

- 7) The court finds that the time between November 27, 2023 and December 12, 2023 is excluded under the Speedy Trial Act because Defendant's counsel was unable to prepare for trial while counsel representation was in dispute, and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 29th day of November, 2023.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge